

## **Board Administration and Regulatory Coordination Unit**

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### **Division 3. Air Resources Board**

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#### **Chapter 2. Enforcement of Vehicle Emission Standards and Surveillance Testing**

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##### **Article 2. Enforcement of New and Used Vehicle Standards**

##### **§ 2101. Compliance Testing and Inspection--New Vehicle Selection, Evaluation, and Enforcement Action.**

(a) The executive officer may, with respect to any new vehicle engine family, test group or subgroup being sold, offered for sale, or manufactured for sale in California, order a vehicle manufacturer to make available for compliance testing and/or inspection a reasonable number of vehicles, and may direct that the vehicles be delivered to the state board at the Haagen-Smit Laboratory, 9528 Telstar Avenue, El Monte, California. Vehicles shall be selected at random from sources specified by the executive officer according to a method approved by him/her, which insofar as practical shall exclude (1) vehicles manufactured pursuant to the specific order of an ultimate purchaser or (2) vehicles the selection of which, if not excluded, would result in an unreasonable disruption of the manufacturer's distribution system.

A subgroup may be selected for compliance testing only if the executive officer has reason to believe that the emissions characteristics of that subgroup are substantially in excess of the emissions of the engine family or test group as a whole.

(b) If the vehicles are selected for compliance testing, the selection and testing of vehicles and the evaluation of data shall be made in accordance with the "California New Vehicle Compliance Test Procedures," adopted by the state board on June 24, 1976 and last amended August 5, 1999. Testing of passenger cars and light-duty-trucks certified to the low-emission and ultra-low-emission exhaust standards to determine compliance with the Supplemental Federal Test Procedure emission standards shall commence in the 2002 model year. Motorcycles scheduled for compliance testing shall be selected, tested, and evaluated in accordance with the "California New Motorcycle Compliance Test Procedures," adopted by the state board on June 30, 1977, and amended November 24, 1981.

(c) If the executive officer determines, in accordance with the "California New Vehicle Compliance Test Procedures," or the "California New Motorcycle Compliance Test Procedures" that an engine family, test group, or any subgroup within an engine family or test group, exceeds the emission standards for one or more pollutants, the executive officer shall notify the manufacturer and may invoke Section 2109. Prior to invoking Section 2109, the executive officer shall consider quality audit test results, if any, and any additional test data or other information provided by the manufacturer.

(d) Vehicles selected for inspection shall be checked to verify the presence of those emissions-related components specified in the manufacturer's application for certification, and for the accuracy of any adjustments, part numbers and labels specified in that application. If any vehicle selected for inspection fails to conform to any applicable law in Part 5 (commencing with Section 43000) of Division 26 of the Health and Safety Code, or any regulation adopted by the state board pursuant thereto, other than an emissions standard applied to new vehicles to determine "certification" as specified in Subchapter 1, Article 2 of this Chapter and an assembly-line test procedure specified in Subchapter 2, Article 1 of this Chapter, the executive officer shall notify the manufacturer and may invoke Section 2109. Prior to invoking Section 2109, the executive officer shall consider any information provided by the manufacturer.

NOTE: Authority cited: Sections 39600, 39601 and 43104, Health and Safety Code. Reference: Sections 39002, 39003, 39500, 43000, 43106, 43202, 43210, 43211 and 43212, Health and Safety Code.

##### **REFERENCE**